HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE

WRIT PETITION NO.3037 OF 2001

Between:
M/s.Astha Power Corporation Pvt. Limited
Represented by its Managing Director.

..... Petitioner

AND

Transmission Corporation of A.P.Ltd.,
(A.P.Transco) having its registered office at
Vidyut Soudha, Hyderabad represented by its
Chairman and another.

.....Respondents

::ORDER::

Counsel for the Petitioner : Sri S.Ravi

Counsel for the Respondent No.1 : Sri O.Manoher Reddy

Standing Counsel for AP Transco

Dated 8.8.2007

In this petition, the petitioner has made the following substantive prayer.

> " To issue a writ, direction or order, more particularly one in the nature of a writ of prohibition, declaring that the second respondent does not have the jurisdiction to consider the application of the first respondent for change in the tariff of the wheeling charges and consequently issue an order prohibiting the second respondent from continuing the proceedings initiated on the application of the 1st respondent for approval of the transmission/wheeling tariffs and be notified by the second respondent by public notice in the local newspapers on 18.1.2001 and pass such other order(s) as this Hon'ble Court may deem fit and proper in the circumstances of the case and in the interest of justice."

Sri S.Ravi, learned counsel appearing for the petitioner says that he has been instructed to withdraw the writ petition at this stage with liberty to file fresh one as and when any such contingency arises.

Sri O.Manoher Reddy, learned counsel for respondent No.1 says that he does not have any objection.

In view of the above, the request of Sri S.Ravi is accepted and the writ petition is dismissed as withdrawn with liberty in terms of the prayer made.

As a sequel to dismissal of the writ petition as withdrawn, W.P.M.P.No.3855 of 2001 filed by the petitioner for interim relief is also dismissed.

G.S.SINGHVI, CJ

8.8.2007
msv